

AMENDED IN ASSEMBLY AUGUST 8, 2008

AMENDED IN ASSEMBLY JUNE 26, 2008

AMENDED IN ASSEMBLY JUNE 12, 2008

AMENDED IN SENATE MAY 6, 2008

AMENDED IN SENATE APRIL 23, 2008

AMENDED IN SENATE APRIL 1, 2008

## SENATE BILL

**No. 1629**

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**Introduced by Senator Steinberg**

**(Principal coauthor: Senator Romero)**

(Principal coauthor: Assembly Member Jones)

(Coauthors: Assembly Members Arambula, Brownley, Coto, Huffman,  
Karnette, Laird, Mullin, and Nunez)

February 22, 2008

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An act to add and repeal Article 14.5 (commencing with Section 8300) of Chapter 2 of Part 6 of Division 1 of Title 1 of the Education Code, relating to state preschool programs.

### LEGISLATIVE COUNSEL'S DIGEST

SB 1629, as amended, Steinberg. State preschool programs: Early Learning Quality Improvement System—~~Commission~~. *Advisory Committee*.

Existing law requires the Superintendent of Public Instruction to administer state preschool programs, including part-day and preschool appropriate programs for prekindergarten children 3 to 5 years of age, inclusive, in educational development, health services, social services,

nutritional services, parent education and participation, evaluation, and staff development.

This bill would establish the Early Learning Quality Improvement System ~~Commission to develop a framework for improving program quality and a graduated funding framework that identifies necessary resources. The commission~~ *Advisory Committee, which* would consist of ~~22~~ 13 members. The ~~commission~~ *advisory committee* would be required to develop the policy and *implementation* plan for an Early Learning Quality Improvement System, and would be required to submit an interim report on its recommendations to the Legislature and the Governor by December 31, 2009, and a final report by December 31, 2010. The bill would require ~~the State Department of Education to provide staff to support the commission, and would require the Superintendent to apply to the California Children and Families Commission for funding to cover costs. The bill would specify that the Early Learning Quality Improvement System may be phased in at the discretion of the Legislature as funds are made available.~~ The bill's provisions would become inoperative on July 1, 2011, and would be repealed on January 1, 2012. The bill would become operative only if AB 2759 of the 2008–09 Regular Session of the Legislature is enacted and becomes effective on or before January 1, 2009.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1     ~~SECTION 1. The Legislature finds and declares all of the~~
- 2     ~~following:~~
- 3     ~~(a) Research shows that experiences in the earliest stages of life~~
- 4     ~~play a critical role in the ability of a child to grow up healthy and~~
- 5     ~~ready to learn.~~
- 6     ~~(b) Research shows that preschool is a proven investment in the~~
- 7     ~~academic success of children and their success later in life. A~~
- 8     ~~high-quality preschool system would benefit California children;~~
- 9     ~~the state's systems of public and higher education, its families and~~
- 10    ~~students, and its economy overall.~~
- 11    ~~(c) Effective preschool provides eager young learners with early~~
- 12    ~~academic and social skills that prepare them for later learning.~~
- 13    ~~Developing these skills requires developmentally appropriate,~~
- 14    ~~intentional instruction from skilled teachers who build on the earlier~~

1 learning experiences, including the cultural and linguistic assets,  
2 of a child and support the development of the whole child.

3 (d) ~~California has a long history, dating back to the end of World~~  
4 ~~War II, of the State Department of Education providing preschool~~  
5 ~~and child development programs.~~

6 (e) ~~Unfortunately, too many children are turned away from~~  
7 ~~preschool, and the children who lack access to preschool are~~  
8 ~~disproportionately children of color, children whose home language~~  
9 ~~is not English, and children whose parents did not graduate from~~  
10 ~~high school. Research has shown that only one-half of all eligible~~  
11 ~~children in California are enrolled in a state preschool or the federal~~  
12 ~~Head Start program.~~

13 (f) ~~According to the National Institute of Early Education~~  
14 ~~Research, California's state preschool programs meet only four of~~  
15 ~~10 benchmarks for quality preschool. A vast body of research~~  
16 ~~shows that only high-quality preschool results in the child outcomes~~  
17 ~~and cost benefits widely attributed to preschool.~~

18 (g) ~~Making the necessary investments to expand the state's~~  
19 ~~preschool system while the state faces a budget shortfall will be~~  
20 ~~difficult, but important steps can be taken now to put in place the~~  
21 ~~framework for a high-quality preschool system upon which future~~  
22 ~~expansion can be built.~~

23 SEC. 2. ~~It is the intent of the Legislature to establish the Early~~  
24 ~~Learning Quality Improvement System Commission to develop a~~  
25 ~~framework for improving program quality and a graduated funding~~  
26 ~~framework that identifies the necessary resources for programs to~~  
27 ~~achieve and maintain higher quality, and the support and~~  
28 ~~opportunity for teachers to reach higher levels of education. The~~  
29 ~~graduated funding framework shall promote the preservation of~~  
30 ~~existing State Department of Education child care and development~~  
31 ~~programs. Throughout its work, the commission shall consider~~  
32 ~~how to support high-quality early learning experiences for children~~  
33 ~~from birth to five years of age, including existing State Department~~  
34 ~~of Education child care and development programs.~~

35 SEC. 3.

36 SECTION 1. Article 14.5 (commencing with Section 8300) is  
37 added to Chapter 2 of Part 6 of Division 1 of Title 1 of the  
38 Education Code, to read:

## 1 Article 14.5. Early Learning Quality Improvement System

2 ~~Commission Advisory Committee~~

3  
4 8300. (a) The Early Learning Quality Improvement System  
5 ~~Commission Advisory Committee~~ is hereby established in the state  
6 government. ~~The commission shall consist of 22 advisory~~  
7 ~~committee shall consist of 13~~ members as follows:

8 (1) The Superintendent of Public Instruction, ~~who shall chair~~  
9 ~~and convene the commission,~~ or his or her designee.

10 (2) The Secretary of Education or his or her designee.

11 (3) The President pro Tempore of the Senate or his or her  
12 designee.

13 (4) The Speaker of the Assembly or his or her designee.

14 ~~(5) The Chairperson of the California Children and Families~~  
15 ~~Commission or his or her designee.~~

16 ~~(6) The President of the University of California or his or her~~  
17 ~~designee.~~

18 ~~(7) The Chancellor of the California State University or his or~~  
19 ~~her designee.~~

20 ~~(8) The Chancellor of the California Community College system~~  
21 ~~or his or her designee.~~

22 ~~(9) The Chairperson of the California Commission on Teacher~~  
23 ~~Credentialing or his or her designee.~~

24 ~~(10) The Director of the Department of Social Services or his~~  
25 ~~or her designee.~~

26 ~~(11) The Governor shall appoint four representatives from the~~  
27 ~~early care and education community including the following:~~

28 ~~(A) At least one appointee who is a preschool teacher and is~~  
29 ~~employed by a private licensed child care provider.~~

30 ~~(B) At least one appointee who is a program administrator of a~~  
31 ~~child development program funded by the department and is~~  
32 ~~employed by a local educational agency.~~

33 ~~(C) At least one appointee who is an infant-toddler caregiver.~~

34 ~~(12) The Speaker of the Assembly shall appoint an early care~~  
35 ~~and education teacher who is employed by a local educational~~  
36 ~~agency.~~

37 ~~(13) The Senate Committee on Rules shall appoint a child~~  
38 ~~development program administrator who is employed by a private~~  
39 ~~agency operating a child development program funded by the~~  
40 ~~department.~~

1     ~~(14) The Speaker of the Assembly shall appoint a local~~  
2     ~~educational agency teacher who teaches kindergarten.~~

3     ~~(15) The Senate Committee on Rules shall appoint a local~~  
4     ~~educational agency teacher who teaches kindergarten or any of~~  
5     ~~grades 1 to 12, inclusive.~~

6     ~~(16) The Speaker of the Assembly and the Senate Committee~~  
7     ~~on Rules shall each appoint one representative from each of the~~  
8     ~~following communities:~~

9     ~~(A) Experts in the needs of English learners.~~

10    ~~(B) Parents or guardians of children who are enrolled in early~~  
11    ~~care and education programs funded by the state.~~

12    ~~(b) The commission shall seek expertise from persons in the~~  
13    ~~following areas: early care and education; English language~~  
14    ~~development, including primary and secondary language~~  
15    ~~acquisition; exceptional needs and disabilities; infant and toddler~~  
16    ~~care; consumer education; parent and guardian engagement;~~  
17    ~~workforce development; facilities development; technical~~  
18    ~~assistance; and other state and local early learning quality~~  
19    ~~improvement systems.~~

20    ~~(c) The appointed members of the commission shall serve at~~  
21    ~~the pleasure of their appointing authority.~~

22    ~~(d) The members of the commission shall be entitled to~~  
23    ~~reimbursement for expenses and shall be entitled to a per diem of~~  
24    ~~one hundred dollars (\$100) per day. Members of the commission~~  
25    ~~who are state officers or employees and who are compensated by~~  
26    ~~the state are not eligible for a per diem pursuant to this section.~~

27    ~~(e) The commission may establish subcommittees and other~~  
28    ~~methods for engaging stakeholders. The commission shall seek~~  
29    ~~public input in order to create opportunities for broad-based input~~  
30    ~~and the exchange of viewpoints and ideas.~~

31    ~~(5) The Director of the Department of Finance or his or her~~  
32    ~~designee.~~

33    ~~(6) The Director of the Department of Social Services or his or~~  
34    ~~her designee.~~

35    ~~(7) The Governor shall appoint two representatives.~~

36    ~~(8) The Chairperson of the California Children and Families~~  
37    ~~Commission or his or her designee.~~

38    ~~(9) The Senate Committee on Rules shall appoint two~~  
39    ~~representatives from the early care and education community, one~~  
40    ~~who is a program administrator of a child development program~~

1 funded by the department, and another who is a caregiver for  
2 infants and toddlers.

3 (10) The Speaker of the Assembly shall appoint two  
4 representatives, one from the early care and education community  
5 who has experience with English learners, and one who is a local  
6 educational agency teacher who teaches kindergarten.

7 (b) The Superintendent and the Secretary for Education or their  
8 designees shall be cochairpersons of the committee.

9 (c) The advisory committee shall seek input through the  
10 establishment of subcommittees or other methods from persons  
11 with expertise in the following areas: early learning quality  
12 improvement systems in use nationwide; early care and education,  
13 including representatives from the higher education segments, the  
14 Commission on Teacher Credentialing, and administrators,  
15 caregivers, and teachers from both the public and private sectors;  
16 K-12 public school teachers; English language development,  
17 including primary and secondary language acquisition; education  
18 and care of children with exceptional needs and disabilities; infant  
19 and toddler care; consumer education; parent and guardian  
20 engagement; workforce development; facilities development;  
21 technical assistance; and program accreditation.

22 8301. (a) The ~~commission~~ advisory committee shall develop  
23 the policy and implementation plan for an Early Learning Quality  
24 Improvement System for the state and shall submit, to the  
25 Legislature and the Governor, an interim report by December 31,  
26 2009, and a final report by December 31, 2010, containing its  
27 recommendations for the creation of an Early Learning Quality  
28 Improvement System. The report shall address, but need not be  
29 limited to, the following ~~three~~ four elements of a quality  
30 improvement system:

31 (1) An assessment and analysis of the existing early care and  
32 education infrastructure ~~including an identification of the strengths,~~  
33 ~~gaps, and barriers to achieving higher quality early learning~~  
34 ~~programs. This analysis shall identify strategies that support and~~  
35 ~~build upon the existing and future diversity of the early care and~~  
36 ~~education workforce, so that it reflects the cultural and linguistic~~  
37 ~~diversity of the children of California, and ensures that the existing~~  
38 ~~workforce has the opportunity and support to meet the levels of~~  
39 ~~education qualifications recommended by the commission, while~~  
40 ~~also meeting the diverse needs of California's young children.,~~

1 *including other state and local early learning quality improvement*  
2 *systems. The assessment shall identify and review existing quality*  
3 *rating systems in use and determine the features of those systems*  
4 *that are most effective in determining and improving quality.*

5 (2) The development of an early learning quality rating scale  
6 for child development and care programs, including preschool,  
7 that serve children from birth to five years of age, inclusive,  
8 including preschool agechildren, infants, and toddlers. The  
9 ~~commission~~ *early learning quality rating scale shall reflect features*  
10 *of quality rating systems that most directly contribute to high*  
11 *quality care, as identified in the assessment pursuant to paragraph*  
12 *(1). The advisory committee shall consider consumer awareness*  
13 *so that parents receive accurate information about the type of*  
14 *program in which their children are enrolled. The* ~~commission also~~  
15 ~~shall~~ *advisory committee also may consider, but need not be limited*  
16 *to, the following features of high-quality programs:*

17 (A) Developmentally, linguistically, and culturally appropriate  
18 practices.

19 (B) Staff qualifications and professional development and  
20 education needs.

21 (C) Staff compensation and retention.

22 (D) Group size and ratios.

23 (E) Learning environment.

24 (F) Statutory and regulatory compliance, including provisions  
25 of Title 5 and Title 22 of the California Code of Regulations  
26 relating to child care and development.

27 (G) Articulation within systems of care for children from birth  
28 to five years of age, and with the K-12 public school system.

29 (H) The inclusion of children with exceptional needs and  
30 children with disabilities.

31 (I) English learner support.

32 (J) Family involvement.

33 (K) Comprehensive health and development screenings using  
34 standard tools.

35 (L) Data collection and methods to support continuous quality  
36 improvement.

37 (M) Program management and leadership.

38 (3) The development of a ~~graduated~~ funding model aligned with  
39 ~~the quality rating scale that provides the necessary resources for~~  
40 ~~programs to achieve higher quality levels, and that supports~~

1 ~~continuous program quality improvement. the quality rating scale~~  
2 ~~for child care and development programs that serve children from~~  
3 ~~birth to five years of age, inclusive, including preschool.~~

4 (4) *The advisory committee shall consider and make*  
5 *recommendations on how local, state, federal, and private*  
6 *resources, including resources available pursuant to the California*  
7 *Children and Families Act of 1998 (Division 108 (commencing*  
8 *with Section 130100) of the Health and Safety Code), can best be*  
9 *utilized to complement a statewide funding model as part of a*  
10 *comprehensive effort to improve the child care and development*  
11 *system of the state, including preschool.*

12 (b) ~~The commission~~ *advisory committee* shall meet no less  
13 frequently than each quarter per year, at the call of the chairperson,  
14 at a time and location convenient to the public, as the chairperson  
15 deems appropriate. All meetings shall be open to the public in  
16 accordance with Article 9 (commencing with Section 11120) of  
17 Chapter 1 of Part 1 of Division 3 of Title 2 of the Government  
18 Code. Once a draft report of the final report is complete, the  
19 ~~commission~~ *advisory committee* shall conduct no less than four  
20 public hearings in different parts of the state to ensure that the  
21 ~~commission~~ *advisory committee* obtains meaningful public input  
22 prior to submitting its report to the Governor and the Legislature.

23 ~~8302. The State Department of Education shall provide staff~~  
24 ~~support to the commission.~~

25 ~~8303.~~

26 8302. No General Fund expenditures shall be required to fund  
27 the work of the ~~commission~~. ~~The commission~~ *advisory committee*.  
28 *The advisory committee* shall be established only after the  
29 Superintendent applies to and obtains funds from the California  
30 Children and Families Commission or other sources. The  
31 Superintendent shall apply to the California Children and Families  
32 Commission for funding to cover ~~commission~~ *committee* costs,  
33 including, but not limited to, staff support, ~~travel expenses, and~~  
34 ~~per diem costs.~~ *and travel expenses.*

35 ~~8304. The Early Learning Quality Improvement System may~~  
36 ~~be phased in at the discretion of the Legislature as federal, state,~~  
37 ~~or local public funds are made available.~~

38 ~~8305.~~

39 8303. This article shall become inoperative on July 1, 2011,  
40 and, as of January 1, 2012, is repealed, unless a later enacted



1 statute, that becomes operative on or before January 1, 2012,  
2 deletes or extends the dates on which it becomes inoperative and  
3 is repealed.

4 SEC. 4. This act shall become operative only if Assembly Bill  
5 2759 of the 2008–09 Regular Session of the Legislature is enacted  
6 and becomes operative on or before January 1, 2009.

7 ~~SEC. 5. This act shall be binding upon the University of~~  
8 ~~California only to the extent that the Regents of the University of~~  
9 ~~California, by resolution, make it binding.~~